

Donald H. Nichols, MN State Bar No. 78918
(admitted *pro hac vice*)

Paul J. Lukas, MN State Bar No. 22084X
(admitted *pro hac vice*)

NICHOLS KASTER, PLLP
4600 IDS Center
80 S. 8th Street
Minneapolis, Minnesota 55402

Matthew C. Helland, CA State Bar No. 250451
NICHOLS KASTER, LLP
One Embarcadero Center, Suite 720
San Francisco, California 94111

Attorneys for Plaintiffs Wong, Chaussy, Kanazawa, Hor, and Lim

George J. Tichy, II, CA State Bar No. 041146
Michael F. McCabe, CA State Bar No. 111151
Michelle R. Barrett, CA State Bar No. 197280
LITTLER MENDELSON, P.C.
650 California Street, 20th Floor
San Francisco, California 94108

Attorneys for Defendants
HSBC Mortgage Corporation (USA) and HSBC Bank USA, N.A.

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Philip Wong, et al., individually, on behalf
of others similarly situated, and on behalf
of the general public,

Plaintiffs,

vs.

HSBC Mortgage Corporation (USA);
HSBC Bank USA, N.A.; and DOES 1
through 50, inclusive,

Defendants.

Case No. 07-CV-2446 MMC

**JOINT STIPULATION & [PROPOSED]
ORDER TO DISMISS CASE WITH
PREJUDICE**

Judge: Hon. Maxine M. Chesney
Courtroom: 7, 19th Floor

Date Action Filed: May 7, 2007

1 Plaintiffs Philip Wong, et al. ("Plaintiffs"), and Defendants HSBC Mortgage
 2 Corporation (USA) and HSBC Bank USA, N.A. ("Defendants"), by and through their respective
 3 counsel of record (collectively "the Parties") hereby stipulate and agree as follows:

4 **STIPULATION**

5 WHEREAS, Plaintiffs Wong, Chaussy, Kanazawa, Hor and Lim have decided to
 6 cease pursuit of their claims against HSBC Mortgage Corporation (USA) and HSBC Bank USA,
 7 N.A.; and

8 WHEREAS, the Parties have agreed that Plaintiffs' claims should be dismissed
 9 with prejudice against both HSBC Mortgage Corporation (USA) and HSBC Bank USA, N.A.;

10 THEREFORE, the Parties hereby stipulate, and respectfully request the Court to
 11 order, pursuant to Rule 41 of the Federal Rules of Civil Procedure, that Plaintiffs' Third Amended
 12 Complaint be dismissed in its entirety with prejudice and that a dismissal with prejudice of this
 13 matter be entered as to all Defendants.

14 IT IS SO STIPULATED.

15 Dated: December 29, 2010

16
17
18 /s/ Matthew C. Helland
 19 MATTHEW C. HELLAND
 NICHOLS KASTER, LLP
 Attorneys for Plaintiffs

20 Dated: December 29, 2010

21
22 /s/ Michelle R. Barrett
 23 MICHELLE R. BARRETT
 24 Attorney for Defendants
 HSBC Mortgage Corporation (USA) & HSBC
 Bank USA, N.A.

[PROPOSED] ORDER

Pursuant to stipulation and Federal Rules of Civil Procedure 41, it is hereby ordered that Plaintiffs' Third Amended Complaint be dismissed with prejudice in its entirety and that a dismissal with prejudice be entered as to all Defendants.

IT IS SO ORDERED.

Dated: _____

HON. MAXINE M. CHESNEY
United States District Court Judge

ATTESTATION OF CONCURRENCE

Pursuant to the Court's General Order 45, Section 10(B), I hereby attest that concurrence in the filing of this document has been obtained from each of the other signatories.

I declare under penalty of perjury under the laws of the United States of America that the foregoing declaration is true and correct to the best of my personal knowledge. Executed this 29th day of December, 2010, in San Francisco, California.

/s/ Michelle R. Barrett